

NO. 55763

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 06 1991

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 06 1991

The applicant **Tony & Beulah Testolin**, hereby make application for permission to change the **a place of use of a portion** of water heretofore appropriated under **Truckee-Carson Irrigation District No. 231 United States of America v. Orr Water Ditch Co. in Equity No. A.13 Claim No. 3; United States of America v. Alpine Land & Reservoir Co. D.C. No D-183 BRT**

1. The source of water is **Truckee River & Carson River**
2. The amount of water to be changed **29.75 Ac. Ft.**
3. The water to be used for **as decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **Lahontan Dam being within the SW¹/₄-SE¹/₄, Section 33, Township 19 North, Range 26 East, M.D.B.&M.**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **All in Sec. 9, T.18N., R.29E., M.D.B.&M; 5.00 Ac. in the SW¹/₄-SW¹/₄; 1.45 Ac. in the SE¹/₄-SW¹/₄. All in Sec. 16, T.18N., R.29E., M.D.B.&M; .80 Ac. in the NW¹/₄-NW¹/₄; 1.25 Ac. in the NE¹/₄-NW¹/₄.**
8. Existing place of use **All in Sec. 9, T.18N., R.29E., M.D.B.&M; 2.70 Ac. in the SW¹/₄-SW¹/₄; 3.55 Ac. in the SE¹/₄-SW¹/₄. All in Sec. 16, T.18N., R.29E., M.D.B.&M; 2.25 Ac. in the NE¹/₄-NW¹/₄.**
9. Use will be from **as decreed.**
10. Use was permitted from **as decreed.**
11. Description of proposed works. **dam, canal & ditches**
12. Estimated cost of works **complete**
13. Estimated time required to construct works **complete**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks: **Water will be delivered to the proposed place of use via the "L" line canal.**

By s/Barry A. Fitzpatrick
Barry A. Fitzpatrick S.W.R.S. #817
137 Keddie Street
Fallon, Nevada 89406

Compared dl/ gk1 lt/ gk1

Protested 3/25/91 by Pyramid Lake Paiute Tribe
W/D 10/11/04

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees, is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 21.875 acre-feet as decreed

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

May 24, 2008

Proof of the application of water to beneficial use shall be filed on or before:

June 24, 2008

Map in support of proof of beneficial use shall be filed on or before:

June 24, 2008

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 24th day of May A.D. 2005


State Engineer

Completion of work filed June 25, 1998 under 62742

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____